

WEDNESDAY, MARCH 1, 1989

FOURTEENTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Speaker Pro Tempore Lois DeBerry.

The proceedings were opened with prayer by Dr. David George, Immanuel Baptist Church, Nashville, Tennessee.

Representative Gary Odom led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

MESSAGE FROM THE SENATE

February 28, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 13, 99 and 100; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Joint Resolution No. 0013 -- Memorials, Government Officials -- Urges the completion of the Natchez Trace Parkway in Mississippi, Alabama and Tennessee.

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Senate Joint Resolution No. 0099 -- Memorials, Sports -- Honors Coach Andy Chunn and Richland High School football team on great 1988 season.

Senate Joint Resolution No. 0100 -- Memorials, Congratulations -- Congratulates David Crockett High School band on outstanding year of competition.

MESSAGE FROM THE SENATE
February 28, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 19, 149, 265, 275, 298, 315, 384, 717, 734, 1179 and 1183; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0019** -- County Officers -- Increases certain fees of county clerks. Amends TCA 8-21-701, 55-4-221, 55-6-104, 62-6-112, 67-4-712, 717.

***Senate Bill No. 0149** -- Courts, General Sessions -- Changes time limit for appeal from general sessions court. Amends TCA 16-15-502, 29-18-128, 29-30-217.

***Senate Bill No. 0265** -- Trademarks and Trade Names -- Corrects use of trademarked name "freon". Amends TCA 39-6-452.

***Senate Bill No. 0275** -- Boards and Commissions -- Permits governor to reappoint chairman of the Tennessee film, entertainment and music commission and its advisory council. Amends TCA 4-3-5004.

***Senate Bill No. 0298** -- Education -- Makes possession of electronic pager at school without permission of principal prima facie evidence. Amends TCA, Title 49, Ch. 6.

***Senate Bill No. 0315** -- Courts, General Sessions -- Gives general sessions judges in certain counties concurrent jurisdiction over domestic relations cases on July 1, 1989. Amends Chapter 698, Public Acts of 1988. Amends TCA 16-15-5004.

Senate Bill No. 0384 -- Conservation -- Approves comprehensive management plan for Reelfoot Lake. Amends TCA 70-5-113.

***Senate Bill No. 0717** -- Wildlife Resources Commission -- Increases quorum requirement for commission. Amends TCA 70-1-203.

***Senate Bill No. 0734** -- Air Pollution -- Permits nonparty to air pollution or hazardous waste management proceeding to seek review of final order or assessment of penalties in certain circumstances. Amends TCA, Title 68, Chs. 25, 46, 69-3-115.

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Senate Bill No. 1179 -- Financial Institutions, Dept. of -- Authorizes commissioner to disclose certain financial information to certain agencies under certain circumstances. Amends TCA 45-2-1603.

Senate Bill No. 1183 -- Codes -- Transfers administration of elevators, dumbwaiters, aerial tramways, and boiler inspection to department of labor. Amends TCA, Title 68, Chs. 19, 20.

ENROLLED BILLS

February 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 98, 100 and 116; and House Resolution(s) No(s). 1, 4 and 5; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

February 28, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) Nos. 8, 17, 68, 92, 98, 261, 334, 382, 712, 743, 757 and 780; and House Joint Resolution(s) No(s). 90, 91, 93 and 105; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

February 28, 1989

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 98, 100 and 116; and House Resolution(s) No(s). 1, 4, and 5.

SIGNED

February 28, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1; and Senate Joint Resolution(s) No(s). 81, 82, 84, 86, 87, 88, 90, 92, 94, 95, 97 and 98.

RULES SUSPENDED

Rep. Rhinehart moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 1 from the Clerk's desk for immediate consideration, which motion prevailed.

House Joint Resolution No. 0001 -- Memorials, Condolence -- Expresses sorrow on death of Dr. R. D. Shepherd of Dunlap. by *Rhinehart.

On motion of Rep. Rhinehart, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives present and not voting were: Chiles -- 1.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Phillips moved that the rules be suspended for the purpose of calling from the Consent Calendar House Joint Resolution No. 126 out of order, for immediate consideration, which motion prevailed.

House Joint Resolution No. 0126 -- Memorials, Recognition and Thanks -- Recognizes Fayetteville Lincoln County Day. by *Phillips, *DePriest.

On motion of Rep. DePriest, the resolution was adopted by the following vote:

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Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0457 -- Tennessee Valley Authority -- Authorizes granting police powers to certain TVA employees; grants authority for such officers to go armed. Amends TCA 39-6-1702.

Rep. Hillis moved that House Bill No. 457 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 457 by deleting the word "governor" wherever it appears in the original Section 1 and by substituting instead the words "commissioner of safety".

AND FURTHER AMEND by deleting the words "secretary of state" in the original Section 7 and by substituting instead the words "commissioner of safety".

AND FURTHER AMEND by deleting the word "governor" from the amendatory language in the original Section 8 and by substituting instead the words "commissioner of safety".

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. Hillis moved that House Bill No. 457, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	3

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

Representatives voting no were: Callicott, Hubbard, Winningham -- 3.

A motion to reconsider was tabled.

*House Bill No. 0632 -- Agriculture -- Enacts "The Tennessee Agricultural Liming Materials Act". Amends TCA, Title 43, Ch. 11, Pt. 2.

Rep. Stallings moved that House Bill No. 632 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway,

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Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

***House Bill No. 0640** -- Economic and Community Development -- Abolishes Tennessee Economic Development Corporation; creates "Tennessee growth fund" to assist certain businesses; appropriates funds. Amends TCA, Title 4, Ch. 17.

Rep. Rhinehart moved that House Bill No. 640 be reset to the Calendar for Wednesday, March 8, 1989, which motion prevailed.

***House Bill No. 0648** -- Codes -- Transfers administration of elevators, dumbwaiters, aerial tramways, and boiler inspection to department of labor. Amends TCA, Title 68, Chs. 19, 20.

On motion, House Bill No. 648 was made to conform with Senate Bill No. 1183.

On motion, **Senate Bill No. 1183**, on same subject, was substituted for House Bill No. 648.

Rep. Rhinehart moved passage of Senate Bill No. 1183 on third and final consideration.

Rep. Naifeh moved the previous question, which motion failed by the following vote:

Ayes.	61
Noes.	37

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Gunnels, Head, Herron, Hillis, Hobbs, Holt, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Yelton, Mr. Speaker Murray -- 61.

Representatives voting no were: Anderson, Callicott, Chiles, Coffey, Copeland, Davis (Cocke), Davis (Knox), Duer, Good, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Holcomb, Hubbard, Huskey, Kent, McAfee, McDaniel, Moore (Shelby),

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Niceley, Nuber, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Ussery, Webb, Williams, Wolfe, Wood -- 37.

Rep. Burnett moved the previous question, which motion prevailed.

Thereupon, Rep. Rhinehart moved that Senate Bill No. 1183 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	75
Noes.	22

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Haun, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 75.

Representatives voting no were: Anderson, Callicott, Chiles, Coffey, Garrett, Halteman, Harrill, Hassell, Henry (Putnam), Henry (Roane), Hubbard, McAfee, McDaniel, Moore (Shelby), Niceley, Peroulas, Scruggs, Severance, Sipes, Stamps, Ussery, Wood -- 22.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 0122 -- Memorials, Condolence -- Honors memory of Dr. Horace McGuire.

House Joint Resolution No. 0124 -- Memorials, Sports -- Honors Coach Jerry Pearson and the Dickson County Senior High School football team on winning TSSAA Class AAA state championship.

House Joint Resolution No. 0125 -- Memorials, Condolence -- Honors memory of Dorsey James "Pops" Kimbro.

House Joint Resolution No. 0127 -- Memorials, Professional Achievement -- Congratulates Danny Rochelle on being named one of three top young farmers in United States.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for

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the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Vessery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

HOUSE BILL REFERRED

Rep. Hillis moved that House Bill No. 1305 be recalled from the State and Local Government Committee and referred to the Conservation and Environment Committee.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, March 2, 1989:

House Bill No. 785: Rep. Anderson.

RULES SUSPENDED

Rep. Cross moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 133 out of order, which motion prevailed.

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House Joint Resolution No. 0133 -- Memorials, Personal Occasion
-- Congratulates Hattie G. Richardson on 103rd birthday. by *Cross.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Cross, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Hahn, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Hott, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 238: Rep(s). Duer added as prime sponsor(s); Rep. Phillips changed from prime sponsor to sponsor.

House Bill No. 511: Rep(s). Buck added as prime sponsor(s).

House Bill No. 629: Rep(s). West added as prime sponsor(s).

House Bill No. 641: Rep(s). West and Armstrong added as prime sponsor(s).

House Bill No. 691: Rep(s). Ussery added as prime sponsor(s).

House Bill No. 705: Rep(s). Ussery added as prime sponsor(s).

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House Bill No. 706: Rep(s). Ussery added as prime sponsor(s).

House Bill No. 733: Rep(s). Chiles added as prime sponsor(s).

House Bill No. 868: Rep(s). Chiles and Ellis added as prime sponsor(s); Rep(s). Phillips added as sponsor(s).

House Bill No. 978: Rep(s). Duer added as prime sponsor(s).

House Bill No. 1096: Rep(s). Pruitt added as prime sponsor(s).

House Bill No. 1121: Rep(s). Bell added as prime sponsor(s).

House Bill No. 1324: Rep(s). Duer added as prime sponsor(s).

House Bill No. 1325: Rep(s). Duer added as prime sponsor(s).

House Bill No. 1405: Rep(s). Armstrong, Bivens, Buck, Byrd, R. E. Davis, Halteman, D. Henry, U. Jones, King, McAfee, Napier, Ussery and Wix added as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Stamps was removed as sponsor of House Bill No. 630.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0128 -- Memorials, Public Service -- Honors Steve West on being named Southern Industrial Development Council Volunteer of the Year. by *Anderson, *Huskey.

The Speaker referred House Joint Resolution No. 128 to the Calendar and Rules Committee.

*House Joint Resolution No. 0129 -- General Assembly, Studies -- Extends the special joint committee to study post-secondary proprietary vocational institutions created by HJR 67 of the 95th General Assembly. by *DeBerry.

The Speaker referred House Joint Resolution No. 129 to the Education Committee.

House Joint Resolution No. 0130 -- Memorials, Sports -- Honors Sky View Junior High School cheerleaders on winning National Cheerleaders Association national championship. by *Cain.

The Speaker referred House Joint Resolution No. 130 to the Calendar and Rules Committee.

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***House Joint Resolution No. 0131 -- General Assembly, Studies --** Creates joint committee to study conservatorships, guardianships and estates of incompetents. by *Turner B, *Buck, *Williams K, *Curlee, *Burnett, *Davis J K, Turner C.

The Speaker referred House Joint Resolution No. 131 to the Judiciary Committee.

***House Joint Resolution No. 0132 -- Highway Signs --** Provides for directional signs to Bethel College. by *Herron.

The Speaker referred House Joint Resolution No. 132 to the Transportation Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Senate Joint Resolution No. 0099 -- Memorials, Sports -- Honors Coach Andy Chunn and Richland High School football team on great 1988 season.

The Speaker referred Senate Joint Resolution No. 99 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0100 -- Memorials, Congratulations -- Congratulates David Crockett High School band on outstanding year of competition.

The Speaker referred Senate Joint Resolution No. 100 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

***Senate Joint Resolution No. 0013 -- Memorials, Government Officials --** Urges the completion of the Natchez Trace Parkway in Mississippi, Alabama and Tennessee.

The Speaker referred Senate Joint Resolution No. 13 to the Transportation Committee.

INTRODUCTION OF BILLS

House Bill No. 1435 -- Decherd -- Increases salary of mayor and aldermen. Amends Chapter 318, Acts of 1901, as amended. by *Murray.
Passed first consideration.

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House Bill No. 1436 -- Hazardous Materials -- Prohibits issuance of a permit to store, treat or dispose of hazardous waste if applicant has another site at which corrective action is being taken. Amends TCA 68-46-108. by *Wix.

Passed first consideration.

House Bill No. 1437 -- Alcoa -- Vests board of commissioners with authority over public utilities; abolishes board of public utilities. Amends Chapter 510, Private Acts of 1919, as amended. Repeals Chapter 309, Private Acts of 1980. by *Anderson, *Huskey.

Passed first consideration.

House Bill No. 1438 -- State Prisoners -- Authorizes certain county executives to implement drug and alcohol treatment pilot projects for state inmates and parolees. Amends TCA, Titles 4, 8, 33, 40, 41. by *Starnes.

Passed first consideration.

House Bill No. 1439 -- Manchester -- Permits students attending Coffee County schools to attend Manchester city schools. Amends Chapter 65, Acts of 1905, as amended. by *Curlee.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0019 -- County Officers -- Increases certain fees of county clerks. Amends TCA 8-21-701, 55-4-221, 55-6-104, 62-6-112, 67-4-712, 717.

Held on the Clerk's desk pending third consideration of companion House Bill No. 352.

Senate Bill No. 0149 -- Courts, General Sessions -- Changes time limit for appeal from general sessions court. Amends TCA 16-15-502, 29-18-128, 29-30-217.

Held on the Clerk's desk pending third consideration of companion House Bill No. 632.

Senate Bill No. 0265 -- Trademarks and Trade Names -- Corrects use of trademarked name "freon". Amends TCA 39-6-452.

Held on the Clerk's desk pending third consideration of companion House Bill No. 514.

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Senate Bill No. 0275 -- Boards and Commissions -- Permits governor to reappoint chairman of the Tennessee film, entertainment and music commission and its advisory council. Amends TCA 4-3-5004.

Held on the Clerk's desk pending third consideration of companion House Bill No. 447.

Senate Bill No. 0298 -- Education -- Makes possession of electronic pager at school without permission of principal prima facie evidence. Amends TCA, Title 49, Ch. 6.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1029.

Senate Bill No. 0315 -- Courts, General Sessions -- Gives general sessions judges in certain counties concurrent jurisdiction over domestic relations cases on July 1, 1989. Amends Chapter 698, Public Acts of 1988. Amends TCA 16-15-5004.

Held on the Clerk's desk pending third consideration of companion House Bill No. 698.

Senate Bill No. 0384 -- Conservation -- Approves comprehensive management plan for Reelfoot Lake. Amends TCA 70-5-113.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1201.

Senate Bill No. 0717 -- Wildlife Resources Commission -- Increases quorum requirement for commission. Amends TCA 70-1-203.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1193.

Senate Bill No. 0734 -- Air Pollution -- Permits nonparty to air pollution or hazardous waste management proceeding to seek review of final order or assessment of penalties in certain circumstances. Amends TCA, Title 68, Chs. 25, 46, 69-3-115.

Held on the Clerk's desk pending third consideration of companion House Bill No. 935.

Senate Bill No. 1179 -- Financial Institutions, Dept. of -- Authorizes commissioner to disclose certain financial information to certain agencies under certain circumstances. Amends TCA 45-2-1603.

Held on the Clerk's desk pending third consideration of companion House Bill No. 644.

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REPORTS FROM STANDING COMMITTEES

COMMERCE

February 28, 1989

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 51 (as amended), 190, 191, 644, 633 (as amended), 635 and 719.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 728 be referred to the Finance, Ways and Means Committee.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 51 (as amended), 190, 191, 633 (as amended), 635, 644 and 719; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 728 to the Finance, Ways and Means Committee.

EDUCATION

February 28, 1989

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 253, 429 (as amended) and 612.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 196 and 902 be referred to the Finance, Ways and Means Committee.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 253, 429 (as amended) and 612; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72 the Speaker referred House Bill(s) No(s). 196 and 902 to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

February 28, 1989

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 99, 277, 469, 53, 1249, 276 (as amended), 630 and 104.

BRAGG, Chairman.

WEDNESDAY, MARCH 1, 1989 -- FOURTEENTH LEGISLATIVE DAY

Under the rules, House Bill(s) No(s). 53, 99, 104, 276 (as amended), 277, 469, 630 and 1249,; was/were transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS
February 28, 1989**

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 209, 217, 223 and 990 (as amended).

KING, Chairman.

Under the rules, House Bill(s) No(s). 209, 217, 223 and 990 (as amended); was/were transmitted to the Calendar and Rules Committee.

**JUDICIARY
February 28, 1989**

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 387, 390, 425 (as amended), 499 (as amended), 514, 622 (as amended), 623, 734 (as amended) and 978.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 426 (as amended) and 500 be referred to the Committee on Finance, Ways and Means.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 387, 390, 425 (as amended), 499 (as amended), 514, 622 (as amended), 623, 734 (as amended) and 978; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 426 (as amended) and 500 to the Finance, Ways and Means Committee.

**STATE AND LOCAL GOVERNMENT
February 28, 1989**

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 5, 117, 147, 270, 271 (as amended), 352, 366 (as amended), 372, 373, 413, 491, 501 (as amended), 507, 511, 609, 615 (as amended) and 620; for adoption: House Joint Resolution(s) No(s). 25 (as amended).

WEDNESDAY, MARCH 1, 1989 -- FOURTEENTH LEGISLATIVE DAY

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 105, 116 and 252 be referred to the Finance, Ways and Means Committee.

MILLER, Chairman.

Under the rules, House Bill(s) No(s). 5, 117, 147, 270, 271 (as amended), 352, 366 (as amended), 372, 373, 413, 491, 501 (as amended), 507, 511, 609, 615 (as amended) and 620; and House Joint Resolution(s) No(s). 25 (as amended); was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 105, 116 and 252 to the Finance, Ways and Means Committee.

**TRANSPORTATION
February 28, 1989**

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 349, 515 (as amended), 545 (as amended), 567, 604 (as amended), 657, 851 and 934.

ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 349, 515 (as amended), 545 (as amended), 567, 851, 604 (as amended), 657 and 934; was/were transmitted to the Calendar and Rules Committee.

**CONSERVATION AND ENVIRONMENT
March 1, 1989**

MR. SPEAKER: Your Conservation and Environment Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 534, 637 and 714.

HILLIS, Chairman.

Under the rules, House Bill(s) No(s). 534, 637 and 714; was/were transmitted to the Calendar and Rules Committee.

**GENERAL WELFARE
March 1, 1989**

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 266; for adoption: House Joint Resolution(s) No(s). 35.

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We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 626 be referred to the Finance, Ways and Means Committee.

STARNES, Chairman.

Under the rules, House Bill(s) No(s). 266; House Joint Resolution(s) No(s). 35; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 626 to the Finance, Ways and Means Committee.

LABOR AND CONSUMER AFFAIRS

March 1, 1989

MR. SPEAKER: Your Labor and Consumer Affairs Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 381 (as amended) and 1163.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 674 be referred to the Finance, Ways and Means Committee.

ELLIS, Chairman.

Under the rules, House Bill(s) No(s). 381 (as amended) and 1163; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 674 to the Finance, Ways and Means Committee.

MESSAGE FROM THE SENATE

March 1, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 906; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

WEDNESDAY, MARCH 1, 1989 -- FOURTEENTH LEGISLATIVE DAY

ENGROSSED BILLS

March 1, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 126; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 1, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 126; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

March 1, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 457 and 632; and House Joint Resolution(s) No(s). 1, 122, 124, 125, 127 and 133; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 1, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 98, 100 and 116; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

WEDNESDAY, MARCH 1, 1989 -- FOURTEENTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE
March 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 103; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0103 -- Memorials, Personal Achievement -- Honors Juli A. Mosley.

MESSAGE FROM THE SENATE
March 1, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 113, 207, 282, 719 and 857; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 0113 -- Wills, Trusts -- Clarifies certain provisions relative to wills and trusts and recording of certain trust agreements, summaries or abstracts. Amends TCA 26-4-101, 32-1-112, 113, 32-3-105, 66-24-101.

*Senate Bill No. 0207 -- Advertising -- Permits variance in placement of outdoor advertising. Amends TCA 54-21-116.

*Senate Bill No. 0282 -- Garnishments and Executions -- Deletes certain exemptions from execution and garnishment. Amends TCA 26-2-107, 26-2-216.

*Senate Bill No. 0719 -- Insurance, Fire and Casualty -- Extends protection to improvement of structures when applying for loan. Amends TCA 56-8-106.

Senate Bill No. 0857 -- Nuclear Materials, Transportation and Safety -- Establishes notification requirement and fees on shipments of spent nuclear fuel. Amends TCA, Title 65, Ch. 15.

WEDNESDAY, MARCH 1, 1989 -- FOURTEENTH LEGISLATIVE DAY

**REPORT OF CHIEF ENGROSSING CLERK
March 1, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 98, 100 and 116; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENROLLED BILLS
March 1, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 906; and House Joint Resolution(s) No(s). 126; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
February 28, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bill(s) on the Calendar for Thursday, March 2, 1989: House Bill(s) No(s). 629, 471, 64, 651, 254, 711, 67, 641, 60 and 423.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 28, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, March 2, 1989: House Bill(s) No(s). 20, 470, 62, 39, 205, 107, 678 and 58; and House Joint Resolution(s) No(s). 17.

PHILLIPS, Chairman.

WEDNESDAY, MARCH 1, 1989 -- FOURTEENTH LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR AND RULES
February 28, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bill(s) on the Calendar for Monday, March 6, 1989: House Bill(s) No(s). 81 and 767.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 1, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, March 2, 1989: House Joint Resolution(s) No(s). 128 and 130; Senate Joint Resolution(s) No(s). 99 and 100.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 1, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bill(s) on the Calendar for Monday, March 6, 1989: House Bill(s) No(s). 243 and 22.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

